



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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May 25, 2006

IN REPLY PLEASE
REFER TO FILE: EP-4

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON ANNUAL SOLID WASTE GENERATION SERVICE CHARGE REPORT
FISCAL YEAR 2006-07
ALL SUPERVISORIAL DISTRICTS
3 VOTES**

IT IS RECOMMENDED THAT YOUR BOARD AFTER THE PUBLIC HEARING:

1. Find that adoption of the enclosed report to provide for the continued collection of the Solid Waste Generation Service Charge on the tax roll is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)(8) of the California Public Resources Code.
2. Adopt the "Annual Solid Waste Generation Service Charge Report, Fiscal Year 2006-07" (Enclosure A) if there is no majority protest to the report.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Adoption of the enclosed report provides that the current Service Charge will continue to be collected on the tax roll in Fiscal Year 2006-07. Revenues generated are used to fund services furnished by the County in the implementation of the County's Household Hazardous Waste Element and Source Reduction and Recycling Element of the Countywide Integrated Waste Management Plan. These services by the County are required by Section 40000 et seq. of the California Public Resources Code, which also provides penalties of up to \$10,000 per day for failure to comply. Therefore, it is essential for the County to continue to provide these services as required by State law. The collection of the Service Charge on the tax roll remains the most cost-effective mechanism in the billing and accounting of these charges.

Implementation of Strategic Plan

This action is consistent with the County Strategic Plan Goal of Fiscal Responsibility as the Service Charge provides necessary and sufficient funds to continue the County's efforts to comply with the requirements of State law mandating waste reduction planning and implementation for the unincorporated County areas.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund. Revenues received from the Service Charge are deposited in the Solid Waste Management Fund. The projected revenue of \$1,186,000 is included in the Fiscal Year 2006-07 Proposed Budget.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

In September 1991, your Board adopted an ordinance establishing the Service Charge as authorized by California Public Resources Code Sections 41901 and 41902.

Currently, each parcel of real property within the County unincorporated area is assessed an annual service charge based on the number of Solid Waste Generation units. The number of Solid Waste Generation units assigned to each parcel of real property is based on the current land use of the parcel as shown in Section 20.89.070 of the County Code. The number of units per parcel varies from zero for a vacant parcel to 50 units for uses such as auditoriums and amusement facilities. A parcel containing a single-family residential unit has been assigned one Solid Waste Generation unit.

The current annual service charge of \$3.51 per Solid Waste Generation unit will remain the same for Fiscal Year 2006-07.

Pursuant to Section 5473 of the California Health and Safety Code, a report entitled "Annual Solid Waste Generation Service Charge Report, Fiscal Year 2006-07" has been prepared and filed with the Executive Officer. Section 5473 also provides that any adopted ordinance authorizing the collection of service charges on the tax roll shall remain in effect until repealed or until changes have been made in the rates. The report contains a description of each parcel receiving such services and the amount of the charge for each parcel for the year computed in conformity with the charges prescribed by ordinance.

Section 5473.1 of the California Health and Safety Code requires that notice of the filing of the Service Charge Report and of a time and place of hearing thereon be published

The Honorable Board of Supervisors
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once a week for two successive weeks in a newspaper of general circulation pursuant to Section 6066 of the California Government Code (Enclosure B).

At the hearing, your Board shall hear and consider all protests to the report. If the Board finds that protests to the report are made by the owners of a majority of parcels described in the report, the report shall not be adopted and the service charges shall be collected separately from the tax roll.

IMPACT ON CURRENT SERVICES

The collection of service charges on the tax roll will provide funds necessary for the County to comply with the State waste reduction mandates and avoid imposition of penalties by the State.

ENVIRONMENTAL DOCUMENTATION

Adoption of the enclosed report to provide for the collection of the annual Service Charge on the tax roll is for the purpose of meeting operating expenses and, therefore, is exempt from the California Environmental Quality Act pursuant to Section 21080(b)8 of the California Public Resources Code.

CONCLUSION

Please return two adopted copies of this letter and report to Public Works, Environmental Programs Division. In addition, please file a copy of the report with the Auditor-Controller by August 10, 2006.

Respectfully submitted,



DONALD L. WOLFE
Director of Public Works

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cc: Auditor-Controller
Chief Administrative Office
County Counsel

COUNTY OF LOS ANGELES
ANNUAL SOLID WASTE GENERATION SERVICE CHARGE REPORT
FISCAL YEAR 2006-07

INTRODUCTION

The California Health and Safety Code, Section 5470, et seq., requires that if existing Solid Waste Generation Service Charges (Service Charge) are to continue to be collected on the tax roll, a report shall be prepared each year and filed with the Executive Officer. The Executive Officer shall file a copy of the report with the Auditor-Controller by August 10 of each year with a statement that the report has been adopted by the Board of Supervisors, and the Auditor-Controller shall enter the amounts of the charges against the respective parcels of land as they appear on the current assessment roll. This report has been prepared to fulfill said requirements.

In 1989, the State of California passed the California Integrated Waste Management Act (AB 939). AB 939, as amended, mandates all cities and counties in the State to prepare a series of documents detailing programs each would implement to reduce the amount of material sent to landfills, and then to divert 50 percent of its waste from the landfills. AB 939 also allows the State to assess penalties up to \$10,000 per day on jurisdictions that do not comply with AB 939's mandates.

SOLID WASTE GENERATION SERVICE CHARGE

In 1991, as a result of the enactment of AB 939, the Board of Supervisors adopted Los Angeles County Ordinance No. 91-0119 implementing the Service Charge. This Service Charge provides funds for the preparation, adoption, and implementation of the Los Angeles County Source Reduction and Recycling Element and Household Hazardous Waste Element of the Los Angeles County Integrated Waste Management Plan, including State reporting and implementation of Source Reduction and Recycling Element programs such as residential recycling, business recycling, and public education outreach programs.

The Service Charge Ordinance is codified in the Los Angeles County Code, Title 20, Division 4, Chapter 20.89 (Attachment I). The annual charge levied on each parcel of real property in the unincorporated County area is computed by multiplying the amount of the Service Charge (currently \$3.51) by the number of Solid Waste Generation units for the current land use as shown in Table A, Section 20.89.070, of the County Code.

The current annual charge of \$3.51 per Solid Waste Generation unit will remain the same for Fiscal Year 2006-07.

IDENTIFICATION OF PARCELS TO BE CHARGED

All improved parcels of real property in the unincorporated areas of the County of Los Angeles are subject to this Service Charge. The Fiscal Year 2006-07 Tax Rate Areas for the affected parcels are listed in Attachment II.

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ATTACHMENT I

Los Angeles County Code

Title 20

Division 4

Chapter 20.89

Chapter 20.89

SOLID WASTE GENERATION SERVICE CHARGE

20.89.010 Purpose of provisions. The purpose of this chapter is to establish and collect the Service Charge authorized by Sections 41901 and 41902 of the Public Resources Code in order to fund the reasonable and necessary costs incurred by the County of Los Angeles in the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element, and the preparation, adoption, and implementation of the Los Angeles County Source Reduction and Recycling Element of the Countywide Integrated Waste Management Plan prepared pursuant to Public Resources Code, Section 40000 et seq. The Service Charge will be levied upon each parcel of real property in the unincorporated area of the County of Los Angeles and will be collected directly by the County on the tax roll. The Service Charge will not be imposed upon or collected by any solid waste haulers providing solid waste collection for the County of Los Angeles. (Ord. 91-0119 § 1 (part), 1991.)

20.89.020 Definitions.

- A. "Parcel of real property" means a parcel of real property as shown on the latest secured tax rolls of the county of Los Angeles.
- B. Solid waste means all putrescible and nonputrescible solid and semisolid wastes, including garbage, trash, refuse, paper, rubbish, ashes, industrial wastes, demolition and construction wastes, abandoned vehicles and parts thereof, discarded home and industrial appliances, manure, vegetable or animal solid and semisolid wastes, and other discarded solid and semisolid wastes. (Ord. 91-0119 § 1 (part), 1991.)

20.89.030 Levy of annual service charge.

- A. An annual Service Charge is levied upon each parcel of real property in the unincorporated territory of the County of Los Angeles for the services and facilities furnished by the County in connection with the preparation, adoption, and administration of the Los Angeles County Household Hazardous Waste Element, and the preparation, adoption, and implementation of the Los Angeles County Source Reduction and Recycling Element of the County Integrated Waste Management Plan.

B. The amount of the Service Charge for each parcel shall be computed by multiplying the solid waste generation unit charge by the number of solid waste generation units for current land use of the parcel as shown in Table A, set out at Section 20.89.070. The solid waste generation unit charge is \$3.51 per unit. (Ord. 91-0119 § 1 (part), 1991.)

20.89.040 Collection of charges. The Service Charge shall be collected for each fiscal year on the tax roll in the same manner, by the same persons, and at the same time as, together with and separately from, the general taxes of the County of Los Angeles. (Ord. 91-0119 § 1 (part), 1991.)

20.89.050 Deposit of collected moneys. The moneys collected under Section 20.89.040 shall be deposited in a separate special revenue fund entitled "Solid Waste Management Fund." (Ord. 91-0119 § 1 (part), 1991.)

20.89.060 Refunds. In the event any Service Charge shall have been erroneously paid or overpaid pursuant to this chapter, it may be refunded. (Ord. 91-0119 § 1 (part), 1991.)

20.89.070 Table A -- Solid waste generation units for designated land uses.

**Table A
NUMBER OF SOLID WASTE GENERATION UNITS
FOR CURRENT LAND USES**

Land Use	Number of Solid Waste Generation Units
Residential	
Vacant residential parcel	0.0
Single residential unit	1
Double, duplex, or two units	2
Three units (any combination)	3
Four units (any combination)	4
Five or more apartments	
4 stories or less per individual residential unit	0.8
5 stories or more per individual residential unit	0.8
Modular homes per individual residential unit	0.5
Mobile homes per residential unit	0.5
Rooming houses	2
Mobile home parks per individual residential unit	0.8
Commercial	
Vacant commercial property	0.0
Stores	3
Store combination	
Store and office	4
Store and residential	4
Department stores	20
Supermarkets	
12,000 square feet or more	18
6,000 through 11,999 square feet	4
Small food store	2
Shopping centers	
Neighborhood community	18
Regional	18
Office buildings	
Loft-type buildings	10
Office and residential combination	5
Hotels and motels	
Hotels -- Under 50 rooms	5
Hotels -- 50 rooms and over	10
Motels -- Under 50 units	5
Motels -- 50 units and over	10
Motel/hotel apartments	
-- Under 50 units	7
-- 50 units and over	14
Professional buildings	
Medical/dental buildings	5
Veterinary hospitals, clinics	5

Restaurants, cocktail lounges	
Restaurants, cocktail lounges, taverns	6
Fast food -- Walk-up	10
Fast food -- Auto-oriented	10
Wholesale and manufacturing outlets	2
Banks, savings and loans	2
Service shops	3
Service stations	3
Full-service	3
Self-service	3
Station with car wash	3
Auto, recreation and construction equipment sales and service	
Auto service center (no gasoline)	3
Auto service shops	3
Used car sales	2
New car sales and service	3
Car wash	3
Car wash -- Self-service	3
Recreation equipment sales and service	3
Farm and construction equipment sales and service	3
Parking lots	1
Animal kennels	5
Nurseries or greenhouses	10
Miscellaneous commercial property	2
Industrial	
Vacant Industrial property	0.0
Light manufacturing	4
Heavy manufacturing	4
Warehousing, distribution, storage	5
Food processing plants	
Meat and poultry (slaughtering house)	6
Beverage	6
Other	6
Motion picture, radio and television industries	
Microwave relay towers	2
Studios	2
Transmission facilities	2
Lumberyards	2
Mineral processing	
Cement, rock and gravel plants	2
Petroleum refineries, chemical plants	2
Parking lots	1
Open storage	
Trucking companies, terminals	2
Contractor storage yards	2
Other open storage	2
Miscellaneous industrial property	2
Agricultural	
General uses	2
Dairies	2

Recreational	
Theaters	
Movie – Indoor	3
Movie -- Drive-in	3
Legitimate theater	3
Bowling alleys	5
Clubs, lodge halls, fraternal organizations	5
Athletic amusement facilities	
Auditoriums, stadiums, amphitheaters	50
Amusement facilities	50
Commercial swimming pools, schools	5
Gymnasiums, health spas	2
Dancehalls	2
Tennis courts, clubs, pro shops	2
Golf courses	
Nonprofit	10
Three-par	10
Miniature	10
Other golf courses	10
Race tracks	50
Horse stable – Private	5
Camps	25
Skating rinks	
Ice	5
Roller	5
Miscellaneous recreational property	2
Vacant recreational property	0.0
Institutional	
Churches	1
Church parking lot	0.5
Schools (private)	5
Colleges, universities (private)	25
Hospitals	5
Convalescent hospitals, nursing homes	5
Homes for aged and others	3
Cemeteries, mausoleums, mortuaries	
Cemeteries	3
Mortuaries, funeral homes	10
Miscellaneous institutional property	2
Vacant institutional property	0.0
Miscellaneous	
Undesignated	2
Vacant undesignated	0.0
Utility: commercial and mutual; pumping plants; and state-assessed property	1
Mining	1
Petroleum and gas	1
Pipelines, canals	0.5
Rights-of-way	0.5
Dump sites	2

(Ord. 91-0119 § 1 (part), 1991.)

ATTACHMENT II

Tax Rate Areas

**SOLID WASTE GENERATION SERVICE CHARGE
TAX RATE AREAS – COUNTY UNINCORPORATED AREA**

00107 00108 00109 00110 00112 00113 00114 00122 00123 00124 00125 00126 00127 00128 00130
00139 00142 00154 00155 00156 00157 00162 00165 00182 00183 00184 00185 00186 00187 00188
00191 00196 00205 00229 00231 00236 00250 00256 00268 00269 00270 00271 00272 00274 00275
00287 00288 00907 00910 00911 00928 00932 00940 00957 00958 00959 00960 00961 00962 00964
00984 00985 00986 00987 00995 00996 00997 01008 01010 01019 01040 01060 01064 01076 01084
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The data above representing the Tax Rate Areas was provided by the Office of the Assessor, County of Los Angeles.